

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, January 9, 2012*

*11:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch, Jr.	Aaron I. Mullen
<b>STAFF:</b>	Mark R. Alger David Hopkins Tim Marshall	Jack Wheeler Tina Goodwin Jim Gleason	Alan Reed Mike Sprague Ray Dell
<b>LEGISLATORS:</b>	Lawrence P. Crossett Robin K. Lattimer Randolph J. Weaver	Carol A. Ferratella William A. Peoples	Hilda T. Lando Thomas J. Ryan
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES FROM THE DECEMBER 5, 2011, MEETING MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS/REQUESTS**

A. Sheriff's Department

1. **Grant** – Undersheriff Dell requested authorization to accept a Rural Traffic Enforcement Initiative Grant in the amount of \$9,500.00. There is no local match.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A RURAL TRAFFIC ENFORCEMENT INITIATIVE GRANT IN THE AMOUNT OF \$9,500.00 MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

2. **Equipment Funds** – Undersheriff Dell requested authorization to spend major and minor equipment funds from their 2012 budget.

**MOTION: AUTHORIZING THE SHERIFF TO SPEND MAJOR AND MINOR EQUIPMENT FUNDS FROM THE APPROVED 2012 BUDGET MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Ryan asked is your vehicle maintenance contracted out? Undersheriff Dell replied we are working on getting a new bid ready. We have found that picking up the parts from Fred Roberts has saved us some money. We are looking at continuing to get the parts off from State bid and seeing if the County shop could do the installations. Mr. Ryan asked with regard to minor repairs, is there any reason that we can't do that in-house at Public Works? Undersheriff Dell replied Public Works has done our diesel work for us. With regard to our regular work, if they had a mechanic available, then he couldn't see any reason why not.

Mr. Ryan stated that at the old Health Care Facility, they have a big overhead door that could be accommodated to be used for repair work. Has anyone considered a study on that? Mr. Alger replied we have done that study and it will cost more money. We do use Public Works to do some of the motor pool general maintenance. Anything beyond that and we will be getting into more money. With the Sheriff and other departments, the consideration is the sheer volume of vehicles and they would need more people. Staff overhead costs a lot of money. What we do in the Sheriff's Department works very well. They are getting their parts off State bid and are only paying labor costs.

Mr. Gleason commented the State contract runs anywhere from two to five years. Undersheriff Dell commented one thing they have tried to do to reduce costs is to extend the time between oil changes. Mr. Alger stated this is something we have to constantly look at. With the bids, you will have a pretty good idea of what the market will bear. With regard to using Public Works, we are using the motor pool vehicles to see how that works out.

B. 911 Enhanced

1. **Budget Transfer** – Mr. Hopkins stated that he did have a budget transfer; however, it does not require committee approval.

C. Emergency Management Office

1. **2012 Contracts** – Mr. Sprague presented his 2012 contract renewals for approval.

**MOTION: APPROVING THE FOLLOWING 2012 CONTRACT RENEWALS FOR THE EMERGENCY MANAGEMENT OFFICE: EMPIRE TELEPHONE - \$1,817.00; T & K COMMUNICATIONS - \$5,416.00; MOTOROLA - \$95,480.00; EES - \$8,000.00; MONROE COUNTY MEDICAL EXAMINERS - \$87,270.00; AND EMSTAR - \$5,625.00 MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Statewide Interoperable Communications Grant** – Mr. Sprague informed the committee that they have received notification that they were awarded \$1,523,264.00 from the Statewide Interoperable Communications Grant. He requested approval to accept this grant.

Mr. Mullen asked will there be any maintenance costs long term? Mr. Sprague replied there may be slight adjustments, but at this point we are locked into a five-year contract with Motorola. Mr. Mullen asked are there any strings attached with this grant? Mr. Sprague replied this is a zero match grant. The grant does come with a lot of paperwork and specific requirements that we have to follow.

Mr. Alger stated this grant will allow us to do the narrowbanding project by year's end. This is along with a voting and steering system that will automatically pick the best tower to broadcast from and to receive. Currently the dispatchers and officers are doing that function themselves. Discussion followed.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT IN THE AMOUNT OF \$1,523,264.00 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

3. **River Gauge Funding** – Mr. Sprague stated there has always been an appropriation in the Federal budget for the flood forecast and warning system for the Susquehanna River Basic Commission. This will no longer be allowed. As it stands right now, for 2012 there is about a \$340,000.00 shortfall in funding the gap. There are a number of options. There is a network of rain gauges that covers the area from here to Maryland. Those gauges cost about the same amount as the shortfall. If there is no additional funding in the Federal budget by April, the rain gauges will slip. We want to keep the stream gauges. There are a few rain gauges in the County and we have our own rain gauge network; but that only works here. This would limit us somewhat. Mr. Mullen asked who has a shortfall in funding? Mr. Sprague stated the Susquehanna River Basin Commission. Mr. Mullen asked what is the cost to maintain the County rain gauges? Mr. Sprague replied that is the contract we have for EES. Annually, the cost is \$8,000.00. There are two USGS rain gauges that are

maintained in Steuben County and those cost \$30,000.00 - \$35,000.00 per year. With our contract with EES, we are maintaining over 30 gauges with \$8,000.00.

**IV. OTHER BUSINESS**

A. Meeting Date – Mr. Schu stated it has been recommended that we hold our meetings on the first Monday of each month at 9:00 a.m.

**MOTION: SETTING THE DATE OF THE REGULAR MEETING OF THE PUBLIC SAFETY & CORRECTIONS COMMITTEE FOR THE FIRST MONDAY OF EACH MONTH AT 9:00 A.M. MADE BY MR. RYAN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**\*\*PLEASE NOTE CHANGE\*\*Monday, February 6, 2012 @ 9:00 a.m.\*\*PLEASE NOTE CHANGE\*\***

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, January 30, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, February 6, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Brian C. Schu, Chair Aaron I. Mullen Thomas J. Ryan  
George J. Welch

**STAFF:** Mark R. Alger Jack Wheeler Ray Dell  
Noel Terwilliger Tina Goodwin Tim Marshall  
Andy Greeley Jim Gleason Nancy Smith

**LEGISLATORS:** Joseph J. Hauryski Lawrence P. Crossett Carol A. Ferratella  
K. Michael Hanna Gary B. Roush

**ABSENT:** Dan C. Farrand, Vice Chair

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Schu called the meeting to order and asked Mr. Welch to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 9, 2012, MEETING MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REQUESTS**

A. Sheriff's Department

1. **Contract Renewals** – Undersheriff Dell requested authorization to renew the contracts with Cummins-Northeast for generator testing for an annual cost of \$2,219.83. He also requested approval to renew the contract with Black Creek Integrated Systems for the Sally Port and Jail Administration System for an annual cost of \$11,770.00.

**MOTION: APPROVING THE FOLLOWING CONTRACT RENEWALS FOR THE SHERIFF'S DEPARTMENT: CUMMINS-NORTHEAST FOR GENERATOR TESTING AT AN ANNUAL COST OF \$2,219.82 AND BLACK CREEK INTEGRATED SYSTEMS FOR THE SALLY PORT AND JAIL ADMINISTRATION SYSTEM FOR AN ANNUAL COST OF \$11,770.00 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Inmate Commissary** – Undersheriff Dell requested authorization to issue an RFP for inmate commissary services. He stated that the last time they did an RFP was eight years ago.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO PURSUE ISSUING AN RFP FOR INMATE COMMISSARY SERVICES MADE BY MR. RYAN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Personnel** – Undersheriff Dell requested authorization to reclassify a vacant full-time armed court security officer to two part-time armed court security officers. Mr. Welch asked will there be a cost savings? Ms. Smith replied yes as there will be no health insurance costs for the two part-time employees.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT FULL-TIME ARMED COURT SECURITY OFFICER POSITION IN THE SHERIFF'S DEPARTMENT TO TWO PART-TIME ARMED COURT SECURITY OFFICER POSITIONS MADE BY MR. RYAN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Probation

1. **Increasing Drug Testing Fees** – Mr. Greeley informed the committee that we currently have a policy where we can collect a \$50.00 drug testing fee under Article 31, which is the DWI Law. We would like to change that so that we can also collect a drug testing fee for individuals from criminal court. In addition, we would like to raise that fee to \$100.00. He stated that he has submitted this information to the Law Department for their review. Mr. Greeley stated we have been collecting the \$50.00 drug testing fee since 1997 – 1998 and we would like to increase it to cover our costs. Drug testing fees are increasing and additionally, we are switching from urine-based tests to saliva-based tests and they cost more.

Mr. Mullen asked what is the cost difference between the two tests? Mr. Greeley replied that he is not sure. We are just now in the process of transitioning over to the saliva tests. Mr. Welch asked what is the current cost of the tests? Mr. Greeley replied they are still less than \$100.00; probably between \$40.00 - \$50.00. As the test prices increase, we will not have to come back and request an increase. Mr. Alger commented that the revenue from these tests offset their administrative costs. This is going to be an amendment to the current local law. The process will be that there will be a presenting local law, a public hearing and then the final adoption.

**MOTION: ADOPTING AN AMENDMENT TO LOCAL LAW NO. SIX OF 1997, AUTHORIZING THE PROBATION DEPARTMENT TO INCREASE DRUG TESTING FEES FROM \$50.00 TO \$100.00 CONTINGENT UPON LAW DEPARTMENT REVIEW AND APPROVAL MADE BY MR. WELCH. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

C. Administrator

1. **Grant** – Mr. Alger stated that early last year the District Attorney's Office was awarded a grant in the amount of \$39,489.00 from the NYS Division of Criminal Justice Services. At that time, the District Attorney did not pursue approval and appropriation of these grant funds. Mr. Alger stated that he would request the committee accept these funds and forward this to the Full Board for their approval. This is conditional on the basis that we are able to get an extension for this grant. This grant is for videotaping in eight police departments. The District Attorney's Office had everything lined up to do this.

**MOTION: AUTHORIZING THE ACCEPTANCE OF A 2011 NYS DIVISION OF CRIMINAL JUSTICE SERVICES GRANT IN THE AMOUNT OF \$39,489.00 ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE FOR VIDEO RECORDING OF STATEMENTS MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. RYAN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR.  
MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, March 5, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, February 27, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

Monday, March 5, 2012

9:00 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen  
Thomas J. Ryan George J. Welch, Jr.

**STAFF:** Mark R. Alger Jack Wheeler Joel Ordway  
David Hopkins Mike Sprague Alan Reed

**LEGISLATORS:** Joseph J. Hauryski Carol A. Ferratella Gary B. Roush  
Randolph J. Weaver

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Farrand to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES FROM THE FEBRUARY 6, 2012, MEETING MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REPORTS**

A. Sheriff

1. **Bid Awards**

a. *Boiler* – Mr. Gleason stated we received one bid from Buckpitt & Company for \$21,021.00. This boiler is an exact match to what we currently have. He recommended awarding the bid to Buckpitt & Company. Sheriff Ordway commented that we have \$20,000 budgeted for this year and will find an additional \$1,000 to cover the cost.

**MOTION: AWARDING THE BID FOR THE BOILER REPLACEMENT AT THE JAIL TO BUCKPITT & COMPANY FOR \$21,021.00 MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

b. *Inmate Commissary* – Sheriff Ordway informed the committee they are still in the process of reviewing the bids for the Inmate Commissary. Mr. Gleason stated they have received three responses and there is a lot of information to go through. Sheriff Ordway stated they will be ready to recommend awarding this bid at the April meeting.

2. **Byrne Narcotic Enforcement Grant** – Sheriff Ordway requested authorization to accept a Byrne Narcotic Enforcement Grant in the amount of \$12,500. This is a zero-match grant. These funds are only used for overtime for narcotics enforcement.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A BYRNE NARCOTIC ENFORCEMENT GRANT IN THE AMOUNT OF \$12,500 MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. 911 Enhanced

1. **Finger Lakes Consortium** – Mr. Hopkins stated that he would like to request authorization to join the Finger Lakes Region Interoperable Communications Consortium. There are ten counties in the consortium and there is no financial commitment. Steuben and Livingston are the last two counties to join. This gives the consortium the ability to apply for grants coming out in rounds two and three.

Mr. Farrand asked who is writing the grant applications? Mr. Hopkins replied the grant applications will be done in-house by the county applying. They are submitted regionally, which is looked upon positively by the Office of Homeland Security. Mr. Farrand asked how would these be awarded? Mr. Hopkins replied he hasn't seen anything that all ten counties would be applying for. Any county can apply for grant funding and their application would reflect that it was discussed among all of the counties in the consortium. These grants would allow us to develop a common communications network among the consortium and to be able to obtain funding to support that.

Mr. Mullen commented that in the materials that were distributed, under cost considerations, mention is made that cost estimates need to be determined, but range from \$100 million. Mr. Hopkins stated we are not committing to anything financially. Mr. Mullen asked how would the counties share the costs? Mr. Hopkins replied it depends on what is applied for. We have been engaging members of the consortium about our new CAD system being able to talk to their systems. We, as an individual county, would negotiate with the vendor. This would allow us to share information with other counties that we are engaging in mutual aide with. We would pick up the costs for our county.

Mr. Alger explained this is not an exclusivity thing. We can participate with this consortium while at the same time participating with the Southern Tier Consortium. Being a part of this allows a larger perspective. We are not obligated to fund anything. This gives you the opportunity to apply for some things that typically were only county by county and not regionally. Being a member of a consortium gives you more "points" on your grant application. You are not obligated to anything other than sending someone to a meeting once in a while.

Mr. Ryan asked what were some of the concerns you had previously that you did not join? Mr. Hopkins replied originally, they had wanted me to chair the consortium. Currently, Ontario County is chairing this group. Mr. Schu stated that he doesn't see any downside to joining. Mr. Hopkins agreed that he also does not see a downside to joining. He will investigate why they have a reference to \$100 million.

**MOTION: AUTHORIZING THE 911 DIRECTOR TO JOIN THE FINGER LAKES REGION INTEROPERABLE COMMUNICATIONS CONSORTIUM MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICER'S LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. WELCH. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, April 2, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, March 26, 2012.**

**STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

**SPECIAL MEETING**

*Monday, March 26, 2012*

*9:45 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
<b>STAFF:</b>	Mark R. Alger Jim Gleason	Jack Wheeler Shawn Corey	Brooks Baker Alan Reed
<b>LEGISLATORS:</b>	Joseph J. Hauryski Gary D. Swackhamer	Carol A. Ferratella	Gary B. Roush

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:45 a.m.

**II. DEPARTMENTAL REQUESTS**

A. District Attorney

1. **Awarding RFP for Video Recording Equipment** – Mr. Baker informed the committee they received a State grant in the amount of \$39,500 to fund the purchase of video recording equipment. We received two bids and he recommended awarding the bid to CPE Interlink for \$48,076.18. This bid includes a 5-year maintenance program. Our grant will cover the equipment plus a 2-year maintenance program. At the end of two years, we can decide if we want to continue with additional maintenance. Mr. Baker stated the Sheriff and every local police department will get this equipment. Mr. Alger commented there are eight locations and at some point in the future, the municipalities will have to determine if they want to cover the maintenance.

Mrs. Ferratella asked how will the police departments be trained on this equipment? Mr. Baker replied the vendor will train the departments on the equipment. The NYS Sheriff's Association has a protocol and we will develop a protocol that will be similar to theirs.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO AWARD THE BID FOR VIDEO INTERROGATION/INTERVIEW SYSTEM TO CPE INTERLINK OF ELMIRA, NEW YORK, FOR \$48,076.18 AND AUTHORIZING THE DISTRICT ATTORNEY TO USE THEIR GRANT FUNDING IN THE AMOUNT OF \$39,500.00 TO PURCHASE THE NECESSARY EQUIPMENT PLUS A TWO-YEAR MAINTENANCE PROGRAM MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. RELATIVE TO THE APPOINTMENT OF THE PUBLIC DEFENDER MADE BY MR. WELCH. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: RECOMMENDING THE APPOINTMENT OF PHILIP J. ROCHE AS STEUBEN COUNTY PUBLIC DEFENDER EFFECTIVE APRIL 30, 2012 AND SETTING HIS SALARY AT \$86,431.00 PER YEAR MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**  
*Resolution Required.*

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, April 2, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen  
George J. Welch

**STAFF:** Mark R. Alger Jack Wheeler Joel Ordway  
Christopher Lian Andy Greeley Mike Sprague  
Jim Gleason Alan Reed

**LEGISLATORS:** Joseph J. Hauryski Carol A. Ferratella William A. Peoples  
Gary B. Roush Randolph J. Weaver

**ABSENT:** Thomas J. Ryan

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES FROM THE MARCH 5, 2012, AND MARCH 26, 2012, MEETINGS MADE BY MR. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REQUESTS**

A. Sheriff

1. **Proposal Awards** – Sheriff Ordway informed the committee they received responses from Swanson, Oasis and Keefe in response to their requests for proposals for inmate commissary services. He recommended awarding the proposal to the current provider, Swanson.

Mr. Mullen asked do you have information on these bids? Mr. Gleason replied these were proposals. We don't have any hard numbers to present as the award is based on a number of issues including the number of kiosks. The award is based on the percent of return we will get. The return from Swanson is 31 percent and Oasis is just under 40 percent. Swanson is able to provide us with more kiosks which will allow us to make more money on more sales. Additionally, Oasis has no presence in New York. The commissions from the sales are paid directly to us. Sheriff Ordway commented no county funds are used. Funds generated through the inmate commissary can only be spent in-house to provide quality of care for the inmates. Mr. Welch asked will you be able to provide law library services through the kiosks? Sheriff Ordway replied it is possible.

Mr. Alger stated the inmate commissary is very regulated and the State determines what you can spend that money on. It has to benefit the inmates. This is one account that the Sheriff can use to improve the conditions within the facility for the inmates. It makes sense to stay with Swanson as you will be getting more kiosks. Discussion followed.

**MOTION: AWARDING THE PROPOSAL FOR INMATE COMMISSARY SERVICES TO SWANSON MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **STOP-DWI Plan** – Sheriff Ordway stated we signed the plan in October and sent it to the State for their approval. There are no county funds and the estimated revenue will be \$389,707.00. He stated that the plan is based on the number of arrests in each municipality. The Corning Police Department and the Sheriff's Department, due to the number of arrests, get the bulk of the money.

**MOTION: APPROVING THE 2012 STOP-DWI PLAN AS SUBMITTED BY THE SHERIFF MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Contracts** – Sheriff Ordway requested authorization to enter into contracts with the following municipalities to provide STOP-DWI services: Addison, Bath, Corning, Hornell, Wayland, Painted Post, Canisteo and Hammondsport. The contracts with the Sheriff's Department and Hornell Police Department also include funding for equipment. Additionally he requested authorization to contract with the Steuben County Council on Addiction for \$5,000.00 to provide funding for two part-time prevention educators to make presentations within County schools.

**MOTION: AUTHORIZING THE SHERIFF TO ENTER INTO CONTRACTS WITH ADDISON PD, BATH PD, CORNING PD, HORNELL PD, WAYLAND PD, PAINTED POST PD, CANISTEO PD, HAMMONDSPORT PD AND STEUBEN COUNTY COUNCIL ON ADDICTION TO PROVIDE STOP-DWI SERVICES MADE BY MR. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Sheriff Ordway requested authorization to renew his contract with Wilmac Business Equipment Company to provide maintenance on the Sheriff's Office Recording System. This machine records all radio frequencies and telephone calls. The cost is \$9,000 per year.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW HIS CONTRACT WITH WILMAC BUSINESS EQUIPMENT COMPANY TO PROVIDE MAINTENANCE SERVICES ON THE SHERIFF'S OFFICE RECORDING SYSTEM FOR \$9,000.00 PER YEAR MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. **Informational** – Mrs. Ferratella asked Sheriff Ordway to give the committee an overview of the problem with synthetic marijuana. Sheriff Ordway stated the U.S. Attorney General's Office provides the enforcement on this. The Department of Health has identified the chemicals that need to be present in order for an individual to be charged, however, the labs are not testing those at this time. The Department of Health is going to establishments and prohibiting the sale of products with these chemicals. Currently, this is not something that we are handling on a local level.

B. Emergency Management Office

1. **Motorola Communications Project Change Order** – Mr. Sprague stated the original grant was for \$1.1 million to move law enforcement over to narrowband digital in order to address the FCC mandate requiring all VHF and UHF channels to be narrowband. We applied for a grant a year ago to pay for that. Now we have received \$1.5 million which would allow us to also incorporate the narrowbanding of the EMS system. We are required to do a change order as the original grant was \$1.1 million. Mr. Sprague explained he attended a project meeting a couple of weeks ago. Our installer is Midstate and we have to stay within the \$1.5 million. We had hoped to get hard numbers in order to do the change order, but do not yet have those. One of the issues we have is that we need to move forward with approving this change order in a timely manner so that we can keep the project on track. Currently we are still within the project timeline. There are several pieces to the grant – the first is the \$1.1 million for law enforcement and the second piece is that we added the EMS system. In addition, we also have to put in some interoperable communications channels on the air. Mr. Alger stated we are modifying the engineering/administration portion and the balance is for equipment and installation.

Mr. Farrand asked when will you get the final numbers? Mr. Alger suggested authorizing a change order up to the amount of the grant, subject to the approval of the County Administrator. We really are stretched for time with this grant. The implementation of this is by the end of December and we need to keep the process moving.

Mr. Mullen asked what is the additional \$400,000 for? Mr. Sprague replied that will allow us to change the EMS system to narrowband and to upgrade our simulcast. This will entail upgrades to our equipment. We are building levels of technology into this. Mr. Alger explained the original project focus was on moving Law Enforcement to narrowbanding. With the additional grant money, we are able to do the EMS system as well. The two real changes are getting the equipment for EMS in addition to what we had for Law Enforcement and getting the interoperable channels. Mr. Farrand asked will there be a cost to the local ambulance corps? Mr. Sprague replied they would have to go to narrowband regardless of what we do. Anything that has programmable capabilities has to go to narrowband. Law Enforcement will be going digital and EMS will stay analog as they have paging. The cost for the new radios is \$660.00.

**MOTION: AUTHORIZING A CHANGE ORDER FOR THE MOTOROLA COMMUNICATIONS PROJECT TO SPEND UP TO \$1.5 MILLION UPON THE FINAL REVIEW AND APPROVAL OF THE COUNTY ADMINISTRATOR AND THE CHAIRMAN OF THE LEGISLATURE MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Probation

1. **Purchase of Protective Vests** – Mr. Greeley stated that he would like to purchase 10 protective vests for his staff. The total cost is \$8,000.00. They have a grant with the Sheriff's Department that would pay \$4,000.00 and remaining \$4,000.00 he would transfer within his budget. The vest cost \$735.00 - \$800.00 each. There is a chance that the State will reimburse us.

Mr. Farrand asked are these the stab resistant vests through the Federal program? Mr. Greeley replied yes. Over the years we have had discussions about this. A number of things have happened recently. First, he recently attended the Conference of Probation Administrators, and all departments, with the exception of ours, have protective vests. Secondly we have had a number of incidents. Mr. Greeley stated that these ten vests represent about half of our probation officers. The vests would be assigned to our most active officers. Mr. Farrand stated under the federal program these are 100 percent reimbursable and you are allowed one every five years. Mr. Greeley stated that he would look into that further.

**MOTION: AUTHORIZING THE PROBATION DIRECTOR TO TRANSFER \$4,000.00 FROM THE RENTAL OF EQUIPMENT LINE ITEM TO THE MINOR EQUIPMENT LINE ITEM TO PURCHASE TEN PROTECTIVE VESTS MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, May 7, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, April 30, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, May 7, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
<b>STAFF:</b>	Jack Wheeler Jim Gleason Alan Reed Nathan Alderman	Joel Ordway Michael Sprague Shawn Corey Phil Roche	David Hopkins Tim Marshall Brooks Baker
<b>LEGISLATORS:</b>	Joseph J. Hauryski K. Michael Hanna	Lawrence P. Crossett Randolph J. Weaver	Carol A. Ferratella

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Welch to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 2, 2012, MEETING MADE BY MR. MULLEN, SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. FARRAND ABSENT FOR VOTE)**

**III. DEPARTMENTAL REQUESTS**

A. Emergency Management Office

1. **Communication Project – Motorola Change Order Update** – Mr. Sprague informed the committee that they have not yet arrived at a final number; however, the numbers we have seen to-date are all within budget. The final numbers will drive the final design. He stated that he sent an email to Motorola this morning suggesting that they cancel their weekly project meeting until they resolve the issue with the numbers. The project is moving along. He stated that he is working on trying to get everything lined up within the next two weeks so that there will be a clear path for where to go from here.

Mr. Sprague stated that Homeland Security on both the Federal and State level is accelerating the grant process. For the 2011 grants, we would normally be notified in June, but we just received the notice two week ago, as well as the notifications of the grant awards for 2012. The Office of Homeland Security is now almost one year ahead of schedule. They have given us two weeks to sign and send back the contract for the 2012 grant award. He requested the committee hold a special meeting prior to the Legislative Meeting on May 21<sup>st</sup> so they can get the information together to present to the committee for acceptance and approval of this grant. The amount of the grant is \$99,300.

*Secretary's Note: The committee was in agreement with scheduling a special joint meeting with the Finance Committee prior to the Legislative Meeting on May 21<sup>st</sup> to accept and approve the 2012 grant.*

2. **Personnel** – Mr. Sprague stated that for those of you who have not already heard, he will be resigning to take a position with the State Office of Emergency Management. He will be the regional director for the Central New York area from Seneca and Schuyler to Herkimer and Madison counties. Mr. Schu stated on behalf of the committee, he wishes him the best of luck and thanked him for his 22 years of service.

B. District Attorney

1. **Towing of Potentially Forfeited Vehicles** – Mr. Baker informed the committee that they tow vehicles for security purposes, evidence or for potential forfeiture and they have been at the mercy of the towing companies. Some companies have been great and have been very reasonable. Other companies have used us as a cash cow. He requested authorization to put out a bid for secure towing for the County and State Police. We would look at four regions in the County. In the bid we will also include storage for tows that happen after 2:00 a.m.

Mr. Reed commented the chain of custody is an important point. The thought initially was to put this out for bid, but an RFP may be better as we can set our basic needs. This will also be a good segway on the towing policy for 911. The request is for authorization to issue an RFP for the four regions of the County. One of the items that will be included will be the need for a secured lot. Mr. Welch asked how many tows do you do a year? Mr. Baker replied we maybe have 40.

**MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ISSUE AN RFP FOR THE TOWING OF POTENTIALLY FORFEITED VEHICLES MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Administrator

1. **Equipment List Amendment** – Mr. Wheeler informed the committee that the Emergency Management Office would like to purchase two netbook computers using Homeland Security grant funding. They would run the CAD system on these netbooks. The cost for the first year would be \$1,000 each with monthly service. In subsequent years, we would only pay the monthly service charge. The initial cost of the netbooks is \$99.00 each plus the cost of licenses for software. These items are not currently on their equipment list.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO AMEND THEIR SMALL EQUIPMENT LIST TO INCLUDE THE PURCHASE OF TWO NETBOOK COMPUTERS PLUS SOFTWARE LICENSES MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. RELATIVE TO THE EMPLOYMENT OF A SPECIFIC INDIVIDUAL MADE BY MR. RYAN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE PERMANENT, PART-TIME RN POSITION TO ONE FULL-TIME RN POSITION IN THE SHERIFF'S DEPARTMENT AND RECLASSIFYING A SECOND PERMANENT, PART-TIME RN POSITION TO A TEMPORARY HIRE POSITION IN THE SHERIFF'S DEPARTMENT MADE BY MR. RYAN. SECONDED BY MR. FARRAND. MOTION CARRIES 3-2. (MR. MULLEN AND MR. WELCH OPPOSED). Resolution Required.**

**MOTION: AUTHORIZING THE TRANSFER AND RECLASSIFICATION OF THE CHIEF DEPUTY POSITION IN THE SHERIFF'S DEPARTMENT TO AN INVESTIGATOR POSITION IN THE DISTRICT ATTORNEY'S OFFICE MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. WELCH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, June 4, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, May 28, 2012.**

STEUBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE  
STEUBEN COUNTY FINANCE COMMITTEE

Joint Special Meeting

Monday, May 21, 2012

9:45 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen  
Thomas J. Ryan George J. Welch

Lawrence P. Crossett, Chair Gary D. Swackhamer, Vice Chair K. Michael Hanna  
Gary B. Roush

**STAFF:** Mark R. Alger Jack Wheeler David Hopkins  
Tim Marshall Joel Ordway Pat Donnelly  
Tammy Hurd-Harvey Shawn Corey Alan Reed

**LEGISLATORS:** Carol A. Ferratella Hilda T. Lando Robin K. Lattimer  
William A. Peoples Randolph J. Weaver

**ABSENT:** Scott J. Van Etten

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:45 a.m.

**II. GENERAL BUSINESS**

A. Emergency Management Office

1. **Approval of 2012 Homeland Security Grant** – Mr. Marshall requested authorization to accept a Homeland Security Grant in the amount of \$99,300.00. This grant will be used for overtime/backfill, NIMS training, Health Surveillance System, Protection Clothing WMD/Decon, Interoperable Communications, Incident Tracking Subscription, Credentialing System and WMD/Haz Mat. He also requested authorization to amend their Major and Minor Equipment to reflect the allocation of funds. There is no local match.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A 2012 HOMELAND SECURITY GRANT IN THE AMOUNT OF \$99,300.00 AND TO AMEND THE MAJOR EQUIPMENT LIST TO INCLUDE \$15,000 FOR INTEROPERABLE COMMUNICATIONS, \$18,000 FOR HEALTH SURVEILLANCE SYSTEM AND AMENDING THE MINOR EQUIPMENT LIST TO INCLUDE \$14,000 FOR INTEROPERABLE COMMUNICATIONS, \$6,000 FOR PPE WMD/DECON AND \$5,700 WMD/HAZ MAT EQUIPMENT MADE BY MR. FARRAND. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (PS&C COMMITTEE) AND 4-0 (FINANCE COMMITTEE).**

B. Sheriff's Department

1. **Approval of Homeland Security Grant** – Mr. Alger requested authorization for the Sheriff to accept a FY 2011 Homeland Security Grant in the amount of \$50,700.00. They will use this funding for interoperable communications. There is no local match.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A FY 2011 HOMELAND SECURITY GRANT IN THE AMOUNT OF \$50,700.00 MADE BY MR. ROUSH. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (PS&C COMMITTEE) AND 4-0 (FINANCE COMMITTEE).**

C. Public Defender

1. **Approval of Grant Application** – Mr. Alger stated that funding from the Indigent Legal Services Fund is now done through a grant and we need to apply for those funds. This is a non-competitive three-year grant and will restore counties to the level of State funding that we had received in 2010. If approved, we will expect to receive \$70,299.00 per year for a total of \$210,897.00. Applications are due by May 25, 2012. Upon preliminary approval of the grant, we will be required to submit a three-year work plan and budget.

**MOTION: AUTHORIZING THE PUBLIC DEFENDER TO SUBMIT AN APPLICATION FOR THE INDIGENT LEGAL SERVICES FUND GRANT FOR 2012-2014 MADE BY MR. SWACKHAMER. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (PS&C COMMITTEE) AND 4-0 (FINANCE COMMITTEE).**

**MOTION: TO ADJOURN MADE BY MR. ROUSH. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (PS&C COMMITTEE) AND 4-0 (FINANCE COMMITTEE).**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

Monday, June 4, 2012

9:00 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Aaron I. Mullen  
Thomas J. Ryan George J. Welch, Jr.

**STAFF:** Mark R. Alger Jack Wheeler Tim Marshall  
Andy Greeley Alan Reed Jim Gleason

**LEGISLATORS:** Joseph J. Hauryski Lawrence P. Crossett Carol A. Ferratella  
K. Michael Hanna William A. Peoples, Jr. Gary B. Roush  
Randolph J. Weaver

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Ryan to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 7, 2012, AND MAY 21, 2012, MEETINGS MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. Emergency Management Office

1. **Budget Adjustment – 2008 Homeland Security Grant** – Mr. Marshall requested authorization to transfer a total of \$9,800.00 from the 2008 Homeland Security Grant that was allocated to the contracted labor and volunteer line items to the minor equipment line item to purchase hazmat suits.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER A TOTAL OF \$9,800.00 FROM THE 2008 HOMELAND SECURITY GRANT THAT WAS ALLOCATED TO THE CONTRACTED LABOR VOLUNTEER LINE ITEMS TO THE MINOR EQUIPMENT LINE ITEM FOR THE PURCHASE OF HAZMAT SUITS MADE BY MR. RYAN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Communication Project** – Mr. Marshall informed the committee that they have continued working with Motorola on the change order. They are within budget and expect to get approval for the change order to do the EMS narrowbanding as well as the original project for Law Enforcement. Mr. Alger explained the committee has authorized him to approve the contract with Motorola providing it is on budget, and it is.

Mr. Farrand asked do you have a list of all the departments that have their own license for communications? Woodhull has indicated to him that they have no license renewal. Mr. Marshall replied any department that doesn't have a renewal falls under the County.

B. Probation

1. **Formation of Criminal Justice Committee** – Mr. Greeley informed the committee that they have an Alternatives to Incarceration (ATI) Committee which reviews our ATI plans. The committee consists of the three judges, District Attorney, Public Defender, County Administrator and the Probation Director. We also try to get the Chairman of the Public Safety & Corrections Committee, the Sheriff and a local magistrate representative to attend. Mr. Greeley stated that he would like to expand the role of this committee into a criminal justice committee. There are many different components to the committee and we all are given directives from Albany. He stated that the idea for the Criminal Justice Committee is that if one member is given information from Albany, then the committee as a whole could discuss the impact of that on all components of the criminal justice system. One example of this is that the State is looking at changing the jurisdiction of Family Court to the age of 18. This means they will remove the 16 and 17 year olds from Criminal Court and put them under Family Court. This change will have an impact on everyone. Mr. Greeley stated that he would also like this committee to review statistical information for the entire county. He stated he would like to have a legislative representative and if we formalized this committee, then maybe that would encourage better attendance. Mr. Alger stated this will require a resolution. In that resolution, we can outline the function of this committee and define the membership.

Mr. Schu asked when was the ATI Committee first formed? Mr. Greeley replied in either 1988 or 1989. Mr. Alger stated the primary goal of the original committee was to reduce the number of classifications within the Jail. Having an ATI program, we are now operating with four classifications: male, female, adult and youth. Mr. Greeley stated the ATI Committee meets quarterly. The main purpose is to fulfill the requirement to the State of having a committee and reviewing statistics. Mr. Ryan stated that his only concern with having a legislative representative on the committee is that there will be a large learning curve. Mr. Greeley commented that we can narrow the discussions down without getting over anyone's head. He stated that he wants to make sure that the Legislature is aware of what is happening.

Mr. Alger stated the Center for Governmental Research came in and did a study to look at ways to impact the number of people in the Jail. The Alternatives to Incarceration Program was one of those things that came out of the study. We were able to get those individuals who were not dangerous or presenting a danger to others, out of Jail and that reduces your costs. We have been able to maintain our population and bring in Federal prisoners. He commented that he thinks this committee is a good idea.

Mr. Mullen asked if we modify this committee, does that affect anything that we would receive from the State? Mr. Greeley replied no, it would not take away from what we are mandated by the State to do. This will allow us to help keep track of the requirements the State is asking from each of the agencies involved on the committee. Mr. Alger commented that if the State goes through with their proposal to convert 16 and 17 year olds to Family Court and if we place them in juvenile facilities through the Department of Social Services, then we are looking at a cost which could approach at least \$100,000 per child. That will have a substantial impact on our local budget.

Mr. Schu commented that Mr. Mullen has volunteered to participate on this committee.

**MOTION: EXPANDING THE FUNCTION OF THE ALTERNATIVES TO INCARCERATION COMMITTEE AND MODIFYING THE MEMBERSHIP OF SAID COMMITTEE TO INCLUDE THE CHAIRMAN OF THE PUBLIC SAFETY & CORRECTIONS COMMITTEE OR HIS/HER DESIGNEE AND THE STEUBEN COUNTY ATTORNEY OR HIS/HER DESIGNEE MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, July 2, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, June 25, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, July 2, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
<b>STAFF:</b>	Mark R. Alger Matt McGrath Joel Ordway	Jack Wheeler Andy Greeley David Hopkins	Phil Roche Jim Gleason Tim Marshall
<b>LEGISLATORS:</b>	Joseph J. Hauryski K. Michael Hanna Randolph J. Weaver	Lawrence P. Crossett William A. Peoples	Carol A. Ferratella Gary B. Roush
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Farrand to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JUNE 4, 2012 MEETING MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENT REQUESTS**

A. Public Defender

1. **Caseload Review** – Mr. Roche stated the purpose of the Public Defender’s Office is to provide legal representation to any individual that is financially unable to afford counsel without substantial hardship who is accused of a crime punishable by jail, or is involved in a Family Court proceeding such as custody, abuse, neglect, PINS or JD. He provided a brief review of the history of the office. In 2004, the position of a full-time public defender was created. A conflicts office contract was started in 2008. Currently, in 2012, Family Court has two full-time attorneys with one support staff and Criminal court has three full-time attorneys, two support staff, six part-time attorneys (four assistant public defenders for the local courts and two assistant public defenders for felony work).

Mr. Roche reviewed the caseload numbers. Felony cases have stayed at about 300 per year. He expects that they will continue to see an increase in the number of violations. We need to track our assigned counsel cases better and he is looking to get new case management software that will allow them to do that. While the Family Court cases have stayed consistent, the bad news is the assigned counsel. With the new software we will be able to track why there are conflicts. We may want to look at having a full-time conflicts office in Family Court. Mr. Roche stated that they anticipate growth in B felonies. The B and C felony cases are more serious and more work is usually involved with those.

Mr. Roche stated that the 2012 budget for the Public Defender’s Office \$836,521.00. Assigned Counsel, which is separate from the budget, is \$499,900.00 which brings the total amount that the County spends on these services to \$1,336,421.00. Our office faces many challenges, including reduced State funding. In 2003, the State established the indigent legal fund. Of the amount in that fund, we receive 75 percent for operations and the

remaining 25 percent is a competitive grant that can only be used to improve the quality of services being provided. We are currently at 2010 funding levels. Mr. Roche stated that he is in the process of submitting an application for the competitive grant. He will use that funding to purchase a new software program for case management. Additionally, he would also like to make their files digital and make them remotely accessible. We have nine attorneys doing criminal work, and only three of them are located in the Bath office. He stated that with this grant funding, he would also like to look at staffing and continuing legal education and investigator services. Other challenges include increased mandates and requirements along with increasing caseloads. The complexity and seriousness of the cases is increasing, the probation sentences are longer, and we have drug court and work with the sex offender registry act. Additionally there is a requirement of having counsel at arraignment. Having counsel at arraignment will be a challenge for our office. We also have a shortage of assigned counsel talent.

Mr. Roche stated that his goals for the department are to get a new case management system, have a digital filing system with remote access, review the structure and staffing of the office, review the “eligibility” standards and process, and improve communications.

Mr. Mullen asked is that \$500,000 that is being spent on assigned counsel primarily for conflicts? Mr. Roche replied that is all conflicts, for both Family and Criminal court. We pay assigned counsel \$75.00 per hour. Mr. Mullen asked could you contract with neighboring counties? Mr. Roche replied the New York State Bar Association had come out with that recommendation. Geography is an issue. Mr. Alger stated that the thought was a conflicts office for Family Court would make sense due to the volume. You would have an opportunity to see some savings there. The caseloads for Criminal Court are less predictable. That is what we need to look at; whether we could structure it so we would see a cost savings there.

B. 911 Enhanced

1. **Voice/Radio Recorder Support Contract** – Mr. Hopkins informed the committee that the current vendor, Carousel, no longer will be doing maintenance on our Voice/Radio Recorder. However, the manufacturer is willing to offer us a one-year service agreement. Mr. Mullen asked how often do you need to use technical support? Mr. Hopkins replied we use technical support when we cannot resolve issues in-house. One of these servers has been rebuilt three times. We are going to explore other vendors. The unit has been in place since 2007.

Mr. Alger explained the choice is we do a service contract or we purchase a new one. They are having a hard time keeping it running with the current service agreement. The department’s preference would be to purchase a new one. Mr. Hopkins stated the in-service life is three to five years. The agreement with Carousel expires July 15, 2012. They did give us adequate notice that there would be no renewal option.

Mr. Schu asked is it most likely during the time of the maintenance contract that you would be looking for a replacement? Mr. Hopkins replied yes. We would look at consolidation and reduce the size, which will reduce the cost for the recorder. A recorder is a requirement for us to be able to provide recordings of calls. Mr. Mullen asked is the hourly rate above and beyond the invoiced rate? Mr. Hopkins replied the \$12,355.00 is all inclusive. Mrs. Ferratella asked if the system quit, how long until you could get it back in service? Mr. Hopkins replied we can put the unit back into service within one week. Mr. Mullen asked what is the cost of a new system? Mr. Hopkins replied it would be approximately \$48,000.00. We are hoping to consolidate to a smaller number of channels.

Mr. Alger stated with this contract, we will be able to get through the radio project and then may not need as big of a server.

**MOTION: AUTHORIZING THE 911 DIRECTOR TO CONTRACT WITH VOICE PRINT INTERNATIONAL FOR A ONE-YEAR MAINTENANCE AGREEMENT FOR THE VOICE/RADIO RECORDER SYSTEM FOR A COST OF \$12,355.00 MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Emergency Management Office

1. **NYSEG Tower Agreement** – Mr. Marshall informed the committee that the County shares tower services with NYSEG on four separate tower locations. Two of the towers are the County's and two are NYSEG's. We have a shared agreement that states that we have mutual access rights and that in lieu of rent, NYSEG will pay for electrical services where they provide the power. Steuben County pays where non-NYSEG provider bills for power. There are no costs associated with this. This agreement has been in place for ten years and the renewal would be for ten additional years.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO RENEW THEIR AGREEMENT WITH NYSEG FOR MUTUAL ACCESS RIGHTS FOR FOUR SEPARATE TOWER LOCATIONS MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **FY2012 Homeland Security Grant** – Mr. Marshall requested authorization to accept a 2012 Homeland Security Grant in the amount of \$88,000.00. Twenty-five percent of this grant, \$22,000.00, goes to the Sheriff's Department and the remaining seventy-five percent, \$66,000.00, is for our department. Mr. Marshall stated they will use their portion of the grant for the IAmResponding Program, homeland security trailers and for the maintenance and upgrading of equipment. Sheriff Ordway commented that they will use their portion of funding for interoperability and narrowbanding.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO ACCEPT A 2012 HOMELAND SECURITY GRANT IN THE AMOUNT OF \$88,000.00 MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Sheriff's Department

1. **Contracts** – Sheriff Ordway requested authorization to renew their contract with LinStar. The primary use of this contract is providing inmates with a temporary ID at the time of their release. The contract is paid for by inmate commissary, with no county funds. The amount of the contract is \$1,785.00 for one year.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW THEIR CONTRACT WITH LINSTAR FOR ONE YEAR AT A COST OF \$1,785.00 MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Sheriff Ordway requested authorization to renew their contract with American Vendors Supply Company. This contract is for the key box system which keeps track of all of the Sheriff's Office keys. The contract includes all parts, excluding batteries. The term is for one year at a cost of \$1,395.00.

**MOTION: AUTHORIZING THE SHERIFF TO RENEW THEIR CONTRACT WITH AMERICAN VENDORS SUPPLY COMPANY FOR ONE YEAR AT A COST OF \$1,395.00 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Addition of Ballistic Vests to Major Equipment List** – Sheriff Ordway informed the committee that they purchased one less vehicle this year and have \$27,000.00 available in their Major Equipment. He requested authorization to purchase 7 ballistic vests for a total cost of \$5,145.00.

**MOTION: AMENDING THE SHERIFF'S MAJOR EQUIPMENT LIST TO INCLUDE 7 BALLISTIC VESTS AND AUTHORIZING THE PURCHASE OF SAID VESTS FOR \$5,145.00 MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. MOTION CARRIES 5-0.**

3. **Project Lifesaver** – Sheriff Ordway informed the committee that they have three start-up kits available. Each unit costs \$300.00. The units are used for individuals with Alzheimer's, Dementia or Autism that have a tendency to wander. The units themselves have a one-mile range. The Bath VA has this program and they will be a part of our team. He stated that he is looking for a Local Law to enable them to collect a fee for the units with the payment being made directly to the County Treasurer. This is a self-staining program.

Mr. Mullen asked who monitors the units? Sheriff Ordway replied nobody has to monitor the units until a call is placed to 911 indicating that there is a missing person. This is a nationwide program. We currently have three units in-house and have received five calls. We will screen them and determine risk factors. Mr. Schu asked what happens if someone dies while they have the unit? Sheriff Ordway replied that he assumes the family would donate the unit back. If that happened, then the next user would pay the \$300.00.

**MOTION: PRESENTING A LOCAL LAW TO ENABLE THE SHERIFF'S DEPARTMENT TO CHARGE USERS OF PROJECT LIFESAVER A \$300.00 PER UNIT FEE MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

4. **Informational** – Sheriff Ordway informed the committee that Doug Gilbert, Corrections Officer, has retired after 25 years of service.

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE**

*Monday, August 6, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair	Dan C. Farrand, Vice Chair	Aaron I. Mullen
<b>STAFF:</b>	Mark R. Alger Andy Greeley Dave Hopkins	Jack Wheeler Jim Gleason Alan Reed	Phil Roche Tim Marshall Shawn Corey
<b>LEGISLATORS:</b>	Joseph J. Hauryski K. Michael Hanna	Lawrence P. Crossett William A. Peoples	Carol A. Ferratella
<b>ABSENT:</b>	Thomas J. Ryan	George J. Welch	
<b>OTHERS:</b>	Darien Olesen Evan Brown, Deputy Fire Coordinator Tom Jamison		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 2, 2012, MEETING MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**III. DEPARTMENTAL REQUESTS**

**A. Public Defender**

1. **Grant Approval** – Mr. Roche informed the committee that the State is taking our normal funding and replacing it with grant funding. We have been awarded a non-competitive grant in the amount of \$70,299 per year for the next three years. These funds cannot be used for typical operational costs and must only be spent on items that will improve the quality of indigent representation. He requested approval to accept this grant funding.

**MOTION: AUTHORIZING THE PUBLIC DEFENDER TO ACCEPT AND APPROPRIATE THE STATE INDIGENT LEGAL SERVICES FUND NON-COMPETITIVE GRANT IN THE AMOUNT OF \$70,299.00 FOR 2012 – 2013 MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

2. **Contract Approval** – Mr. Roche stated that the data collection system we currently have is a program that was written and is maintained by the IT Department. Unfortunately, this program cannot provide meaningful “real time” reports and data that can be used to supervise the workload or prepare State mandated reports. The New York State Defender’s Association offers a Case Management System that is in use in 39 New York Public Defender’s Offices. This system has been vetted by our IT Department and will provide us more information and the ability to better manage our caseload. The cost of this system is \$15,000.00 and includes the conversion of our current data as well as the first year’s support. This program does include a function for conflict recognition. Mr. Roche stated that this expense will be paid for by the Grant funds and he has received preliminary approval for this expenditure from the State Indigent Legal Services Fund.

Mr. Mullen asked will the software save time billed by the Assistant Public Defenders coming up to speed? Mr. Roche replied we don't bill by the hour. This software will help with our staff time, especially in the preparation of reports. This software will also help us with conflict searches. He explained the system will kick out all of the conflicts, and then he will go through and make the final decision.

**MOTION: AUTHORIZING THE PUBLIC DEFENDER TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE DEFENDER'S ASSOCIATION FOR THE PURCHASE AND INSTALLATION OF THE CASE MANAGEMENT SYSTEM AT A COST NOT TO EXCEED \$15,000.00, WHICH INCLUDES CONVERSION OF EXISTING DATA AND THE FIRST YEAR'S SUPPORT MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

B. Administrator

1. **Towing Policy** – Mr. Reed stated that we modeled this draft policy after the District Attorney's tow needs for seizures of vehicles along the highway. This draft divides the County into regions and each region is assigned a primary tow company. For the purposes of 911, they need tows for disabled vehicles and abandoned vehicles. Again, the County is divided into regions. Within each region there is a primary tow operator and a secondary tow operator. Any tow operation that functions within the County has to submit credentials. This is patterned after what Monroe County put together. You may prefer to have a rotating cycle within each of the regions. Mr. Reed stated that the operator of the vehicle will have first option as long as there are no mitigating circumstances such as safety concerns or the length of time that an officer is kept at the scene. We don't want to involve ourselves too particularly with the operation of the tow companies and we are trying to not create an agency relationship. This is a service that the County does not provide and we are just facilitating that.

Mr. Farrand stated that he has supported a towing policy since we first began talking about it because he feels that it is very important. He asked how well does this policy work in Monroe County? Mr. Reed replied there have been no legal issues at this time.

Mr. Hauryski asked what is our liability? Mr. Reed replied Mr. Van Etten had expressed his concerns regarding liability and we tried to address that by having this be a function that allows us to facilitate. We want to verify what is being represented to us.

Mr. Farrand asked with regard to the insurance requirements, will the smaller companies be able to afford that? Mr. Reed replied he doesn't know. As far as insurance goes, that is a practical concern. The dollar amount is not set for the purpose of excluding an operator from participating. You have to examine the protection you want. Mr. Weaver commented most of the tow operators already carry insurance.

Mr. Weaver asked with regard to the section regarding signage, who will be looking at that? Mr. Alger replied we expect that law enforcement will still be on the scene seeing the tow companies coming and going. The bigger issue that we are talking about is the primary and secondary companies within each quadrant. We are really limiting the system to one operator in each quadrant.

Mr. Schu commented that's how this issue originally came up is that companies were complaining about not getting the calls. The question is do we want to give one company a monopoly or not? Mr. Mullen stated that there is a location issue within the quadrants. Mr. Reed stated 911 will get input from the scene before they call a tow. Mr. Farrand stated most law enforcement officers will ask the operator before they call for a tow. Mr. Alger commented if you have AAA, you must make the call yourself, or they won't cover it.

Mr. Peoples asked why did you do quadrants? Mr. Alger replied we separated the County into geographic regions so that if you have someone close to quadrant 1, they can respond, rather than having one tow company for the entire 1,600 miles. It makes the area of coverage smaller.

Mrs. Ferratella asked who will communicate this to law enforcement? Mr. Schu replied 911 would be responsible. Mrs. Ferratella asked, initially, who will communicate this to law enforcement? Mr. Reed replied this will be communicated from 911 to law enforcement.

Mr. Mullen asked would having a list of all the tow companies with their addresses be too cumbersome? Mr. Weaver stated the problem in the past is that someone was not able to do a tow because they didn't have the right equipment. Mr. Alger stated it had been presented by a vendor that there were concerns about tow companies qualifications for interstate and our liability for dispatching. Mr. Reed explained the liability is not knowing if the tow company has the function to perform the duties required. Mr. Mullen stated it could be a problem if we limit it to one company in each region. Mr. Reed stated you can have a wheel and have a master list showing the capacity to complete a tow on all roads within that quadrant. Mr. Crossett asked how many companies in the county do we have that can perform tows on all roads? Mr. Alger replied we have one. You could discuss separating out the interstate function from the county/town roads.

Mr. Farrand stated we need to know where the quadrants are and then we can make a decision on whether to have a wheel or an assigned company. Mr. Alger asked how big a problem would it be to separate out the interstate? Mr. Hopkins replied we do it now for fire and we can fine tune the CAD system. Mr. Schu stated we could create four regions and exclude 390 and I86.

Mr. Alger commented there will never be a perfect system. If you separate the interstate, you could open up a wheel and the officer on the scene still has to provide the information. That interchange has to occur. Mr. Mullen stated the best thing is to have two requirements. The first being whichever tow company is closest on the master list within the quadrant and the second being do they have the equipment to handle the scene. Mr. Schu stated we would require the operators to apply to the County anyway, so we will know what we are dealing with regardless. Mr. Mullen stated we shouldn't limit it to one company within each quadrant. He stated that he would like to look at the closest concept.

Mr. Farrand stated he feels that it is important for us to have a towing policy. We are not quite there yet. Mr. Alger stated with our CAD capabilities, we can look at the tow operators and look at the regions based on where we have operators around the County. If we adopt a policy with a threshold, those companies will apply to be accepted. We can pull the addresses and show you where they are located. We also have a certain amount of information on the tow companies capabilities and then you will have something you can look at. Mr. Schu stated this is a starting point. Discussion followed.

#### **IV. OTHER BUSINESS**

A. *Director of Emergency Management Office Position* – Mr. Mullen distributed a copy of a letter from the the Fire Advisory Board. They met in July to review the current job description for Director of Emergency Management Office and made some additions/deletions. The Fire Advisory Board has asked if they could have the opportunity to comment on the County's new proposed job description after it is drafted, but before it is finalized. Additionally, they would also like to have the opportunity to have representatives on the interviewing committee. Mr. Alger stated that he will take their suggestions and requests under advisement.

B. *September Meeting Date Change* – Due to the Labor Day Holiday, the committee discussed changing the date of the September meeting to Monday, September 10, 2012, at 9:00 a.m.

**MOTION: CHANGING THE DATE OF THE SEPTEMBER MEETING OF THE PUBLIC SAFETY & CORRECTIONS COMMITTEE TO MONDAY, SEPTEMBER 10, 2012, AT 9:00 A.M. MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully Submitted by Amanda L. Chapman, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**\*\*PLEASE NOTE CHANGE\*\*Monday, September 10, 2012 @ 9:00 a.m.\*\*PLEASE NOTE CHANGE\*\***

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Tuesday, September 4, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, September 10, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** Brian C. Schu, Chair Dan C. Farrand, Vice Chair Thomas J. Ryan  
George J. Welch

**STAFF:** Mark R. Alger Jack Wheeler Joel Ordway  
David Hopkins Tim Marshall Alan Reed  
Jim Gleason Andy Greeley Phil Roche

**LEGISLATORS:** Joseph J. Hauryski Carol A. Ferratella Gary B. Roush  
Randolph J. Weaver

**ABSENT:** Aaron I. Mullen

**OTHERS:** Dave Jamison  
Kristen Klemenz, B & W Towing  
Blaine Westervelt, B & W Towing  
Lynne Dickinson, Cajun Starter & Towing Service  
Richard Dickinson, Cajun Starter & Towing Service

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Welch to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 6, 2012, MEETING MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REQUESTS**

A. Sheriff's Department

1. **Narcotics Enforcement Grant** – Sheriff Ordway requested authorization to accept a Senate Initiative Grant in the amount of \$12,500.00 for Narcotics Enforcement. This money will be used to offset our overtime costs for investigations. This is a zero match grant.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A SENATE INITIATIVE GRANT IN THE AMOUNT OF \$12,500.00 FOR NARCOTICS ENFORCEMENT MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Budget Adjustment – Reallocation of Grant Money** – Sheriff Ordway requested authorization to reallocate \$14,396.00 remaining in their 2009 Weapons of Mass Destruction (WMD) grant, which is currently in line items for law enforcement training and minor equipment, to his major equipment line. He would like to use this money to purchase narrowband compliant radios for law enforcement.

**MOTION: AUTHORIZING THE SHERIFF TO REALLOCATE \$14,396.00 IN 2009 WEAPONS OF MASS DESTRUCTION GRANT MONEY CURRENTLY IN THE LAW ENFORCEMENT TRAINING LINE ITEM AND MINOR EQUIPMENT LINE ITEM, TO THE MAJOR EQUIPMENT LINE TO PURCHASE NARROWBAND COMPLIANT RADIOS FOR LAW ENFORCEMENT AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THIS CHANGE MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Purchase of Equipment – 3 Ballistic Vests** – Sheriff Ordway requested authorization to remove the Accident Reconstruction Software from his Major Equipment and transfer the \$2,205.00 to purchase three additional ballistic vests and adding those to his Major Equipment list. Mrs. Ferratella asked what happens to the outdated vests? Sheriff Ordway replied that they do monitor them and the CIRT Team recycles some of them and use the Kevlar on their shields.

**MOTION: AUTHORIZING THE SHERIFF TO REMOVE THE ACCIDENT RECONSTRUCTION SOFTWARE FROM THE MAJOR EQUIPMENT LIST AND TRANSFER THE BALANCE OF \$2,205.00 FOR THE PURCHASE OF THREE ADDITIONAL BALLISTIC VESTS AND ADDING THOSE OF THE MAJOR EQUIPMENT LIST MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. 911

1. **Maintenance Costs for Newly Installed 911 Phone System** – Mr. Hopkins requested authorization to pay the maintenance and labor costs for the newly installed 911 phone system. A total payment of \$76,852.00 was due upon installation. Of that, \$54,000 is for the five-year maintenance plan and extended warranty and the remaining \$22,000 is for labor costs. These costs were outlined in the initial contract that was approved in July.

**MOTION: AUTHORIZING THE DIRECTOR OF 911 TO PAY A TOTAL OF \$76,852.00 FOR THE MAINTENANCE AND LABOR COSTS FOR THE NEWLY INSTALLED 911 PHONE SYSTEM MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Tow Policy** – Mr. Reed stated that he put together a new draft policy based on the concept that the tow agency closest to the scene, with the exception of four-lane highways, would be called. Four-lane highways would have a primary tow agency and secondary tow agency designated. There will be a master list of tow companies and each tow company will be required to submit their qualifications and meet the terms that we have established.

Mr. Farrand asked what happens if a person is requesting a towing service that doesn't meet the County's criteria? Mr. Reed replied the vehicle operator has the right to ask for whatever tow company they want, as long as the use of that company doesn't delay road cleanup activities, or delay law enforcement from getting back into service.

Mr. Ryan commented that he doesn't understand the part where we would require the tow companies to keep a log during the winter. What is the thought behind that? Personally, he thinks this is an overreach on our part. He stated that his feeling is that he cannot support this. Mr. Farrand stated that certain equipment is needed for certain situations. Mr. Ryan stated 911 knows who is qualified. Mr. Reed stated the policy sets forth the responsibility for dispatching a tow to 911. The problem before was who was dispatching, 911 or law enforcement. This is an attempt to rectify how tows get to the scene. The race to the scene has been one part of the issue.

Mr. Schu stated that he thinks everyone should have a chance to look over the new draft. He would like to have a full committee before we take action on this.

**MOTION: TABLING DISCUSSION RELATIVE TO THE TOW POLICY UNTIL THE OCTOBER 1, 2012, MEETING MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Emergency Management Office

1. **Fire Police Instruction Contract** – Mr. Marshall stated that we contract with two individuals that provide the instruction for our fire training program in the County. These two individuals take a State certified, 21 hour course and we contract with them to provide the training. Typically they teach one, maybe two courses during the year. Between the two of them, we pay approximately \$1,200.00. There is an issue relating to the insurance requirements for these two individuals. He stated that he has been talking with Mr. Isaman about this and they also checked with a local insurance agent to find out what it would cost for those individuals to purchase general liability insurance. The cost for the insurance would be more than they are paid to teach the course.

Mr. Alger commented the issue is if they go and are directing traffic at different points during this training. Mr. Marshall explained they use the students in the class and their vehicles to do simulated scenes in the parking lot. They are not actually controlling traffic on the highway. The actual traffic component represents 6 hours of their total training. Mr. Alger stated his concern is if someone gets hit; if we waive the insurance requirement, then the County is liable for it all. The suggestion was made that we could pay the instructors more so they could purchase insurance.

Mr. Ryan asked are these private instructors? Mr. Marshall replied yes. Mr. Alger stated the question is whether you want to pay them additional money or if you want to waive the insurance requirement and assume the liability. Mr. Farrand asked if it is a controlled environment, what is the speed? Mr. Marshall replied it would be minimal. Mr. Reed commented that his thought is when you have a high premium on coverage that generally indicates that there is actual risk involved. Our contract template calls for insurance coverage and we asked the Risk Manager to look at this. His position was that this was an activity where the County could face liability and therefore, we should require coverage.

Mr. Isaman stated the coverage would cost each of the instructors between \$700 - \$1,000. Mr. Marshall explained the State changed the course a year ago and added this field component. Previously it was all classroom instruction. Mr. Farrand asked would we want to provide their insurance or just pay them more so they can purchase it? Mr. Isaman replied we want them to purchase their own insurance policy. Mr. Farrand stated that he thinks we should increase their payment by \$1,000.

Mr. Weaver asked do other counties run these trainings? Mr. Marshall replied yes. Some use private instructors and others provide the training through the Sheriff's Department. Mrs. Ferratella asked since this training is mandated by the State, do they have any liability? Mr. Marshall replied we are not using State instructors, so they would not assume any liability. Mr. Weaver asked how many people take the course? Mr. Marshall replied we generally have 25 – 30.

**MOTION: TABLING DISCUSSION RELATIVE TO THE FIRE POLICE INSTRUCTION CONTRACT WITH THE EMERGENCY MANAGEMENT OFFICE UNTIL THE OCTOBER 1, 2012, MEETING MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, October 1, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, September 24, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

**Special Meeting**

*Monday, September 24, 2012*

*9:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
<b>STAFF:</b>	Jack Wheeler Alan Reed Noel Terwilliger	Tim Marshall Shawn Corey	Jim Gleason David Hopkins
<b>LEGISLATORS:</b>	Joseph J. Hauryski K. Michael Hanna Gary B. Roush	Lawrence P. Crossett Robin K. Lattimer Scott J. Van Etten	Carol A. Ferratella William A. Peoples Randolph J. Weaver

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:45 a.m.

**II. DEPARTMENT REQUESTS**

A. Emergency Management Office

1. **Narrowbanding Project** – Mr. Marshall informed the committee that as part of this project we are adding additional equipment to the towers. There are two towers owned by NYSEG and they have requested that we do a structural analysis prior to adding equipment to them. We have received four quotes, with the lowest coming from All State Tower for \$6,000.00. He requested authorization to contract with All State Tower to perform a structural analysis of the two NYSEG-owned towers. There is money available in the narrowbanding project for this.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO CONTRACT WITH ALL STATE TOWER TO PERFORM A STRUCTURAL ANALYSIS OF THE TWO NYSEG-OWNED TOWERS, PRIOR TO ADDING ADDITIONAL EQUIPMENT, FOR A TOTAL COST OF \$6,000.00, SAID AMOUNT TO BE PAID OUT OF THE NARROWBANDING PROJECT MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR . MOTION CARRIES 5-0.**

B. E-911

1. **Disposal of Toughbooks** – Mr. Wheeler informed the committee that we have some Toughbook Mobile Data Terminals that are out of service from Law Enforcement. The plan was to put those in the County Auction. In talking with Mr. Hopkins and Mr. Gleason, we could take 12 of those units and give them to the Fire Service for use by the Deputy Fire Coordinators and some of the field guys. He requested authorization to pull 12 Toughbook MDT's out of the County Auction and transfer those to the Fire Service.

**MOTION: AUTHORIZING THE E-911 DEPARTMENT TO REMOVE 12 TOUGHBOOK MOBILE DATA TERMINALS FROM THE COUNTY AUCTION AND TRANSFER THEM TO THE FIRE SERVICE MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR.  
MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

Monday, October 1, 2012

9:00 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch	Aaron I. Mullen
<b>STAFF:</b>	Jack Wheeler Joel Ordway Ray Dell Brooks Baker	Tim Marshall Ken Isaman Phil Roche	David Hopkins Alan Reed Jim Gleason
<b>LEGISLATORS:</b>	Joseph J. Hauryski K. Michael Hanna Randolph J. Weaver	Lawrence P. Crossett William A. Peoples	Carol A. Ferratella Gary B. Roush
<b>OTHERS:</b>	Kristen Klemenz, B & W Towing Blaine Westervelt, B & W Towing Tom Jamison		

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Farrand to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 10, 2012, AND SEPTEMBER 24, 2012, MEETINGS MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. District Attorney's Office

1. **Appropriation of Funds** – Mr. Baker informed the committee that the daily expenses line items such as postage and office supplies are out of money due to the increase in caseloads. He is requesting a total appropriation of \$25,000.00 to cover these line items. His original request was for \$30,550.00 and that included \$5,000.00 for the vehicle repair line item for a new engine. However, they took that \$5,000.00 out as they were able to trade that vehicle for one of the Sheriff's vehicles. The other amounts in his request are based on what we have spent so far this year and what we expect to spend for the remainder of the year. It is likely that we will need to come back and ask for additional funding for an expert witness.

Mr. Ryan asked is there a reason for the higher caseloads? Mr. Baker replied typically the caseloads fluctuate on a cyclical basis. Four hundred cases a year is what we traditionally have seen. With the combination of more bath salt and methamphetamine cases, along with an increase in unemployment, we are seeing an increase in our cases.

Mr. Farrand asked is there anything in your budget that you can take from? Mr. Baker replied we have taken money from everywhere in the budget that we can. Mr. Farrand asked are you requesting money from the Contingency Fund? Mr. Baker replied yes.

**MOTION: AUTHORIZING THE COUNTY TREASURER TO TRANSFER \$25,550.00 FROM THE CONTINGENCY FUND AND APPROPRIATING TO THE FOLLOWING LINE ITEMS WITHIN THE DISTRICT ATTORNEY'S 2012 BUDGET: POSTAGE AND COPYING - \$2,400.00; BOOKS AND SUBSCRIPTIONS - \$5,000.00; OFFICE SUPPLIES - \$1,050.00; GRAND JURY TRANSCRIPTS - \$10,000.00; TRIAL AND HEARING TRANSCRIPTS - \$900.00; WITNESS FEES - \$1,200.00; MOTOR POOL CHARGE BACKS - \$600.00; AND MILEAGE AND FUEL COSTS - \$5,400.00 MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

B. Sheriff's Department

1. **Budget Transfer** – Sheriff Ordway informed the committee that they will need an additional \$50,000.00 in their medical services line item in the Jail budget to get through the end of the year. We had originally budgeted \$200,000.00, however, we have exhausted that. He is requesting an additional \$50,000.00 from the Contingency Fund to cover their pharmaceutical costs through the end of the year. In the meantime, if we have a high-maintenance inmate who requires hospitalization, then we will need to come back and request more money.

Mr. Welch asked do the inmates have to pay anything toward their medical care? Sheriff Ordway replied most of the inmates come in without any insurance.

**MOTION: AUTHORIZING THE COUNTY TREASURER TO TRANSFER \$50,000.00 FROM THE CONTINGENCY FUND AND APPROPRIATING TO THE MEDICAL SERVICES LINE ITEM IN THE 2012 JAIL BUDGET MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

C. Emergency Management Office

1. **Small Equipment – Budget Amendment** – Mr. Marshall requested authorization to transfer funds within his 2008, 2009 and 2010 grant lines to purchase a hazmat monitor (\$2,297.10), Narrowband Radios (\$14,719.48) and Portable Radios (\$3,992.00). He stated that with these transfers, the 2008 grant will be closed out.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO TRANSFER FUNDS WITHIN THE 2008, 2009 AND 2010 GRANT LINES TO PURCHASE A HAZMAT MONITOR (\$2,297.10), NARROWBAND RADIOS (\$14,719.48) AND PORTABLE RADIOS (\$3,992.00) AND AMENDING THE MAJOR EQUIPMENT LIST TO INCLUDE THIS EQUIPMENT MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Fire Police Instructor Contract** – Mr. Marshall stated that last month, he and Mr. Isaman talked about the issues with this contract and we sent some information to a local insurance agent to get a price for how much the fire instructors would have to pay for insurance coverage. The insurance agent stated that it would cost each instructor \$625.00 to hold liability insurance in order to teach the course. Each of the instructors makes \$800.00 per course. At this point in time, we need to talk about where to go from here. Do we want to adjust the rate we pay the instructors and ask them to provide insurance?

Mr. Farrand stated it seems that the safest way is to provide them an increase in their contract so they can obtain the insurance. Mr. Mullen asked how many hours do they teach? Mr. Marshall replied each course is 24 – 28 hours. The hands-on portion of the class requires both instructors. Mr. Ryan asked is there a guarantee that they will pay for the insurance? Mr. Marshall replied that would be a requirement of the contract. They are paid an hourly rate.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO AMEND THEIR CONTRACT WITH THE FIRE POLICE INSTRUCTORS TO INCREASE THE TOTAL AMOUNT PAID TO EACH INSTRUCTOR, BRINGING THE TOTAL PER COURSE TO \$1,400.00 PER INSTRUCTOR, AND REQUIRING EACH INSTRUCTOR TO OBTAIN GENERAL LIABILITY INSURANCE MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. 911

1. **Tow Policy** – Mr. Hopkins informed the committee that Mr. Reed has finished the revisions of the proposed tow policy. Mr. Reed stated that from an informational standpoint, the intent of this draft is to have the closest tow agency to the scene be dispatched by 911 from a master list of companies that have submitted an application to be on the list. An exception to that is with regard to limited access highways where it is deemed more appropriate to only dispatch those tow companies that have the capacity to be on the four-lane. Additionally, this proposal gives the vehicle operator the option of requesting a tow company of their choice. The exception to that is if there is an immediate need to clear the scene for safety purposes and if their request would impede putting Law Enforcement back into service in a timely manner. The other portion of this proposal deals with the agencies making representation of their capacity, having licensed drivers and sufficient coverage. We also want to make sure that no price gouging is occurring. We are asking the tow companies to set a standard rate, without the County actually establishing the rates. Mr. Reed commented that both Monroe and Livingston Counties set the rates, however, this committee did not want to do that. If we attempted to impose rates, there could be an argument that the tow companies could then be considered our agents. We are not looking to do that. Mr. Reed stated if a tow company wants to be considered for the master list, they need to submit their credentials to 911. With respect to the four-lane highway, there will be a primary and secondary tow agency assigned to provide that service.

Mr. Hauryski asked outside of the four-lane highway, do we assign primary and secondary agencies to the four regions of the County? Mr. Reed replied no, they will be dispatched based on who is closest to the scene. The consensus at last month's meeting was to provide for the closest agency to the scene.

Mr. Roush commented that doesn't work. As an example, on Addison Road in Painted Post, there are two tow companies that are very close in proximity. One of the companies is a little further south of the other, and they never get a call. A rotating list would be most fair. Mr. Mullen stated this is not based on fairness and is only based on the closest company to the scene. This does not establish a right to any amount of calls. Mr. Roush stated you are establishing policy that is eliminating competition and that is not the American way. It does impede competition. Mr. Mullen replied it does impede, but does not eliminate competition. If someone does not have a specific tow company they want called, then we are going to call someone. Who should we call?

Mr. Farrand stated some of these companies have eight or nine different trucks. Having a primary and secondary agency is not the right way to go. You would have to establish an area and 911 would have to go down the list. Mr. Hopkins commented that is currently being done in the office. Mr. Farrand asked that Mr. Hopkins provide a monthly report of the amount of tows dispatched.

Mr. Ryan stated most of the letters we have received are pointing the finger back to 911. Mr. Hopkins stated it is about perception. Mr. Reed stated the practical issue is not all dispatches are being made by 911. Some of the requests for a tow may come from either 911 or Law Enforcement. Mr. Hopkins stated his suggestion was that the agencies identify those tow companies they want to come to the scene.

Mr. Reed stated with putting the tow companies on a master list, those agencies are agreeing to receive dispatches only from 911. If you are jumping calls, then you would be subject to being removed from the master list. Mr. Ryan commented it is not the tow companies that are jumping calls, but the dispatchers. Mr. Reed stated the real issue is not that 911 is not doing a rotation, but that multiple dispatches are going out.

Mrs. Ferratella asked do we currently have Law Enforcement and Fire calling out tow companies? Mr. Reed replied yes. Mr. Weaver asked how will this policy change that? Mr. Schu replied it won't. Law Enforcement and other agencies are not bound by this policy. Mr. Reed explained the tow companies would be bound by this policy. If they receive a call from another agency, they would need to defer to 911. Mr. Weaver asked are you saying that if I am ABC Towing Company and I receive a call from the State Police to go to a scene, I have to call 911? Mr. Reed replied no. You would need to have a conversation with the State Police to say that you are only being dispatched by 911. It is 911's responsibility to follow the policy.

Mr. Farrand asked has anyone talked with the New York State Police Captain to see if they will abide by this policy? Mr. Reed replied we do need to have some liaison work. If the other agencies are dispatching tows, then we need to find out where those dispatches are coming from. Mr. Farrand asked if Mr. Hopkins could provide that information? Mr. Hopkins replied that he can.

Mr. Welch asked is 911 asking for this policy? Mr. Hopkins replied no. The agencies in the field are capable of making that decision. Mr. Welch asked why does the County want to get involved? Mr. Reed replied this issue predates me, but this has been an ongoing discussion. There was direction from this committee to discuss this. The point of the policy is to have the orderliness that you desire. We are trying to come up with a standardized way of dispatching agencies to a scene without creating a relationship to the County. Mr. Farrand stated in the past we talked about the liability issues and the tow agencies not having insurance or the right credentials. Mr. Reed stated in this proposal the companies need to provide proof of insurance naming the County as the additional insured. Mr. Mullen asked have we had any claims filed against us in the past? Mr. Reed replied he is not aware of any.

Mrs. Ferratella stated that her concern is with 911 dispatch. She doesn't feel comfortable that we are sending the companies out on a rotation fashion. If 911 is dispatching the tow companies, then we should have a record of that. Mr. Hopkins stated every request received by his department is recorded. Mr. Ryan stated we have received letters indicating that is not happening. Mr. Schu asked Mr. Hopkins if he could assemble a list of the requests? Mrs. Ferratella stated the only document that we have are the recordings. Mr. Hopkins commented we are not required to maintain a written log. He stated that he does have a couple weeks' worth that he can compile into a log. Mrs. Ferratella asked are the 911 dispatchers trained to use the rotation list? Mr. Hopkins replied yes and they also have to document if the request is coming from the scene or if they are dispatching off the list.

Mr. Roush asked what policy does the Sheriff's Department follow? Sheriff Ordway replied if a deputy is familiar with the scene, they will either call 911 or call the tow company directly. Normally the deputy will call 911 and request the closest tow company. Mr. Roush asked the normal policy is to have 911 dispatch the tow company? Sheriff Ordway replied yes. If the operator of the vehicle has a preference, we will then call who they request or ask 911 to call. We do not have a set policy. Mr. Hopkins commented if the Captain of the New York State Police comes in, he will say that they do not have a policy.

Mr. Hauryski stated that he would like to summarize the issue. At some point you have to make a decision and move on. This has been an issue for five years. We have had tow companies come in and the committee has taken up the issue of a tow policy. When you look at a metropolitan county, such as Monroe County, they have a tow policy and it is apparently working there. We have rural Steuben County and we can't come to grips with this. This does not have to be so complicated. One thing that has been said is to get all of the players to the table; law enforcement, fire, and 911 and everyone has to be on the same wavelength. It needs to be equitable and fair to all companies who are qualified to perform the work. This is something that we should be able to do in a reasonable amount of time.

Mr. Ryan stated that a free market system is not complicated, only when government is involved. Mr. Hauryski stated that he agrees that the finger keeps coming back to 911. We have to come to grips with how these calls are dispatched following the rotation schedule. Everyone should go to 911 with their requests and 911 should be making the call, period. Then follow the rotation schedule the way it should be followed.

Mr. Mullen stated a lot of the proposed policy is kind of fair. There is more in the policy than needs to be. On the four-lane highway section, that should read the same as the rest of the County, except that the tow companies need to pre-certify that they are capable of performing work on the four-lane. It has been proposed that there be a primary and secondary company for the four-lane. He stated that he doesn't like the idea of only designating one company for the four-lane. Mr. Reed commented we can designate different regions of the four-lane. Mr. Farrand stated we should keep the option open of a having a rotating list.

Mr. Mullen stated based on the rest of the policy, if you are closest, then that is who will be called, as long as they can handle the work. Mr. Schu commented at some point we have to come to a decision. All we are looking to do is put the existing policy in writing.

**MOTION: TO TABLE FURTHER DISCUSSION ON THE TOW POLICY FOR THREE MONTHS AND ASKING THE 911 DIRECTOR TO COMPILE INFORMATION RELATING TO THE CURRENT PROCESS FOR HANDLING TOW CALLS MADE BY MR. RYAN. SECONDED BY MR. FARRAND. MOTION CARRIES 4-1. (MR. FARRAND OPPOSED)**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. WELCH. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, November 5, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, October 29, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

**Special Meeting**

*Monday, October 22, 2012*

*9:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch, Jr.	Aaron I. Mullen
<b>STAFF:</b>	Jack Wheeler Alan Reed	David Hopkins Shawn Corey	Tim Marshall
<b>LEGISLATORS:</b>	Joseph J. Hauryski K. Michael Hanna William A. Peoples Scott J. Van Etten	Lawrence P. Crossett Robin K. Lattimer Gary B. Roush Randolph J. Weaver	Carol A. Ferratella Patrick F. McAllister Gary D. Swackhamer

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:30 a.m.

**II. GENERAL BUSINESS**

A. 9-1-1 Enhanced

1. **Towing** – Mr. Schu stated that there has been discussion about the need to find out which tow companies are in the County and what their qualifications are before we can decide what to do going forward. Mr. Wheeler had mentioned sending out a notification to the tow operators and asking them to submit their qualifications. We currently are dispatching tow operators and we don't know their qualifications at this point. We want to find out which companies in the County are interested in providing tow services and what their qualifications are. Mr. Wheeler stated 9-1-1 currently provides the dispatch. Mr. Schu stated that the current policy is that 9-1-1 dispatches tow companies on a rotating basis based on a list. Mr. Hopkins commented that the list they are using was most recently vetted in August and the tow companies gave us a verbal indication that they wanted to be on the list.

Mr. Ryan asked right now, what are Mr. Hopkins specific directives? Mr. Wheeler replied he was directed to use the rotating list while we are developing a policy. Mr. Ryan asked is there criteria as to whether the tow companies are DOT (Department of Transportation) certified? Mr. Wheeler replied no, and that is why we are doing this. We never had a policy or a standard for companies, and that was part of the discussion. That is what we are attempting to do now so we can compare the tow companies to AAA or a similar standard.

Mr. Farrand stated that he would like to see a copy of the rotating list, along with a notation of who is getting the calls. He would also like it noted why a tow company was not able to do a tow. Mr. Wheeler stated that we can provide some information.

Mr. Mullen stated one of the reasons why we were coming up with a policy was because people on the scene were taking the initiative and calling tow companies and were calling the same company every time. He stated that he was at a town board meeting and he asked what they thought of this issue. All of the first responders said they didn't want us to draft a policy as they were doing fine on their own getting the roads cleared. He stated that he is confused as to how things are actually working. Mr. Schu stated this has been an ongoing issue for many years. Mr. Ryan asked why doesn't Mr. Hopkins take some initiative here and be proactive as opposed to getting the County involved? Mr. Schu stated we provide Mr. Hopkins with direction. Mr. Wheeler explained we are

attempting to get a standard in place. The tow companies are not our agent, but we want to make sure that they can do the job.

Mr. Reed stated that in his discussions with the Sheriff and State Police, there seems to be some common ground that Law Enforcement at the scene can make a determination that a tow is needed and what type of equipment will be required. They can also ask the motorist if they have AAA or if they have a specific tow company that they use. That information is then conveyed to 9-1-1. Where there is no specific company indicated, then they go to the next available tow and that is where we are at a crossroads. The question is who is on that list. At this point there is no set policy, but is there a set standard? There is a temporary need to have the companies have some basic minimal qualifications to be out there. Mr. Wheeler stated the professionals on the scene are determining what they need and even which companies they or the motorist prefer. If Law Enforcement is doing that, the issue is 9-1-1 providing the dispatch. Law Enforcement plays a key role in determining how that happens, but 9-1-1 should be the agency providing the dispatch. Mr. Reed stated we are doing our due diligence to draft a policy that will work. Between now and then, we need the ability to respond when Law Enforcement says that they need the next available tow. The companies on that list need to be at least at AAA standards. If the companies are not already on the list, they may submit their qualifications and we will compare them to AAA standards.

**MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR TO SEND OUT A REQUEST FOR QUALIFICATIONS TO ALL TOW COMPANIES LOCATED WITHIN STEUBEN COUNTY MADE BY MR. FARRAND. SECONDED BY MR. WELCH FOR DISCUSSION.**

Mrs. Ferratella asked can 9-1-1 keep a record of the calls so that we can justify our position that everyone is being treated fairly? Mr. Schu stated that is a separate issue. Mr. Hopkins will provide a list at next month's meeting to show that there is an even dispensation of the calls. Mr. Reed commented that 9-1-1 materials are limited in their disclosure with regard to Freedom of Information Law purposes. This is not necessarily a public document.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

*Monday, November 5, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Brian C. Schu, Chair Thomas J. Ryan	Dan C. Farrand, Vice Chair George J. Welch, Jr.	Aaron I. Mullen
<b>STAFF:</b>	Jack Wheeler (by phone) Tim Marshall Joel Ordway Brenda Mori	Andy Greeley David Hopkins Phil Roche	Alan Reed Nancy Smith Shawn Corey
<b>LEGISLATORS:</b>	Joseph J. Hauryski Patrick F. McAllister Randolph J. Weaver	Carol A. Ferratella William A. Peoples George J. Welch	K. Michael Hanna Gary B. Roush

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Ryan to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 1, 2012, AND OCTOBER 22, 2012, MEETINGS MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. DEPARTMENTAL REQUESTS**

A. Public Defender

1. **Budget Transfer** – Mr. Roche requested a supplemental budget appropriation of \$8,600.00 to get through the remainder of the year. Most of the budget is for personal services and the expenses of running the office. Mr. Mullen asked if there is surplus in other line items, can you pull from those? Mr. Roche explained he can move funds around a little bit. Two of the line items; Law Books and Investigative Expenses, are grant funded and those funds cannot be spent on anything else. Mr. Wheeler commented we also do not transfer funds from the telephone and maintenance in lieu of rent line items. Mr. Mullen asked why is the chargeback so much lower than last year? Mr. Wheeler explained sometimes that line item is a couple of months behind. It is based on use and spread across the County.

Mr. Farrand commented that the Membership Dues line item in 2010 was \$4,500 and in 2011 was \$877.00. Why the disparity in cost? Mr. Roche replied our attorneys are required to register every other year, and that typically falls on even years. Mr. Welch asked do you have more trials? Mr. Roche replied we are on record pace for felony and family court assignments. That also has an impact on our conflicts. The caseloads are going up.

**MOTION: AUTHORIZING THE TREASURER TO TRANSFER \$8,600.00 FROM THE CONTINGENCY FUND TO THE PUBLIC DEFENDERS' 2012 BUDGET TO COVER EXPENSES THROUGH THE END OF THE YEAR MADE BY MR. MULLEN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

2. **Assigned Counsel** – Mr. Roche stated the Assigned Counsel Program has submitted a request for an additional \$150,000 for the 2012 budget year. He stated that conflicts are not handled in his department, but he can provide the committee with a historical perspective on assignments and caseloads. He stated that he is confident that we will be above 980 assigned cases by the end of the year. Our family court cases continue to increase year to year and the family court assignments have been higher this year. With regard to the assigned counsel expenses, we cannot predict those. This year we are on pace for a \$600,000 year. There are other options that the County could explore such as putting out an RFP to contract out these services. Another option would be to have an actual Conflicts Office, which would be staffed with county employees. We need more analysis on both of those options. This is something that this committee may want to consider in the future. Most expenses are incurred on felony assigned counsel cases.

Mr. Farrand asked how many people would be needed for a Conflicts Office? Mr. Roche replied the standard number of conflicts cases is 150. One person should be able to handle a large portion of that. You would probably need 1 ½ or two part-time staff. Mr. Schu stated that we could have a group of five or six attorneys bid to do that work, you would only be spending \$450,000 for the year. Mr. Roche commented there are many counties that have done an RFP for assigned counsel services.

Mr. Wheeler stated this is something that we looked at in 2008 and 2009. Cortland County was sued for how they set up their Conflicts Office. This is something that this coming year we will need to take a look at. The Charter process provides us with a good opportunity to do this as well. Mr. Mullen asked if we were to set up a Conflicts Office, would it be possible to have a couple of offices that we rented; one toward the western part of the county and one towards the eastern and then split the cost of those offices with Allegany and Chemung counties? Would something like that be a possibility in order to cut the cost? Mr. Roche replied there is some opportunity for an inter-municipal agreement between the counties. The question is whether it is cost effective or not. One of the challenges is that all of the felony cases are done in Bath. The other challenge is the misdemeanor cases, which are currently handled by four part-time attorneys who cover the 44 courts within the county. The costs for assigned counsel will continue to go up and we have to look at creative ideas. Mr. Roche commented the State is pushing really hard to have counsel at arraignments. With 44 courts in our county, we can't do that. We will need to do an analysis to see where the dollars are going.

Mr. Farrand stated that modified budget requests are coming in. What did we budget for assigned counsel this year? Mr. Wheeler replied we did increase a few of the line items for the District Attorney's Office and the Sheriff's Department. Unfortunately, Assigned Counsel we kept at \$450,000 and that could be a problem as it is late in the budget process. You do have a fair amount of contingency. Mr. Roche stated that in fairness to the budget process, it could be \$450,000. It depends on the activity in law enforcement, along with other factors.

Mr. Reed stated that one of the things to keep in mind is that a Conflicts Office will generate their own conflicts. You will need to look at other counties to see how their caseloads grew. Mr. Farrand commented that he doesn't want to continue to take from the Contingency Fund. Mr. Wheeler replied no one really wants to do that. With the Assigned Counsel, we typically have to dip into the Contingency Fund. The requests from the Sheriff's Department and the District Attorney's Office were unexpected, but your Contingency is there for a reason.

Mr. Welch asked are there checks and balances on the fees that are charged by the attorney's? Mr. Roche explained we send the cases to Attorney Wallace and he assigns them. The vouchers from the attorney go through Attorney Wallace, the judge and then to the Treasurer. Additionally, the Office of Court Administration performs audits on counties' assigned counsel programs, so there are checks and balances. *Mr. Mullen asked why are we giving Assigned Counsel \$75,000 per month instead of \$45,000 per month to get through the end of the year? Mr. Wheeler replied that is due to increases in caseload.* Discussion followed.

**MOTION: AUTHORIZING THE TREASURER TO TRANSFER \$150,000.00 FROM THE CONTINGENCY FUND TO THE 2012 ASSIGNED COUNSEL BUDGET MADE BY MR. FARRAND. SECONDED BY MR. RYAN. MOTION CARRIES 4-1. (MR. MULLEN OPPOSED) Resolution Required.**

B. Sheriff's Department

1. **Medical Line Item** – Sheriff Ordway informed the committee that they most likely will need another Contingency Fund transfer to cover expenses in their Medical line item next month.

2. **STOP DWI Plan** – Sheriff Ordway requested the committee approve the STOP DWI plan as presented. This has been approved by the State.

**MOTION: APPROVING THE SHERIFF'S 2013 STOP-DWI PLAN AS SUBMITTED MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **GTSC Rural Bicycle Safety Grant** – Sheriff Ordway requested authorization to accept a Rural Bicycle Safety Grant in the amount of \$3,170.00 from the Governor's Traffic Safety Committee. This is a zero-match grant and was effective October 1, 2012.

**MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A GOVERNOR'S TRAFFIC SAFETY COMMITTEE RURAL BICYCLE SAFETY GRANT IN THE AMOUNT OF \$3,170.00 MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Personnel** – Ms. Smith informed the committee that the State Court System is requesting that we add two additional court security officers for Judge Scudder. The Sheriff did not have any vacant positions, however, we did have vacant positions in Public Health Nursing. She requested authorization to transfer two vacant positions in Public Health Nursing to the Sheriff's Department and reclassify them to Court Security Officer.

Sheriff Ordway explained over the years they had reduced their court security staff. Judge Scudder had requested court security officers and this will be contingent upon receiving funding from the New York State Office of Court Administration. Mr. Wheeler commented this does benefit the county. The Public Defender has an office in the same building and security is a need there.

**MOTION: AUTHORIZING THE TRANSFER OF TWO VACANT POSITIONS IN PUBLIC HEALTH NURSING TO THE SHERIFF'S DEPARTMENT AND RECLASSIFYING THEM TO COURT SECURITY OFFICER, CONTINGENT UPON RECEIVING FUNDING FROM THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION MADE BY MR. FARRAND. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

C. Emergency Management Office

1. **Major Equipment** – Mr. Marshall requested authorization to amend his major equipment list in the 2009 Homeland Security Grant to include the purchase of a GIS plotter for the 911 center. Mrs. Ferratella asked how much is the plotter? Mr. Marshall replied it is \$7,703.43 and we still have money in the 2009 grant to cover this.

**MOTION: AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO AMEND THEIR MAJOR EQUIPMENT LIST FOR THE 2009 HOMELAND SECURITY GRANT TO INCLUDE THE PURCHASE OF ONE GIS PLOTTER FOR THE 911 DEPARTMENT FOR A COST OF \$7,703.43 MADE BY MR. RYAN. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Storm Update** – Mr. Marshall informed the committee that they did staff the Emergency Operations Center (EOC) on the night of October 29<sup>th</sup> until 2:00 a.m. In addition to himself and Mr. Wheeler, they had individuals from the Office for the Aging, Department of Social Services, Public Works, Sheriff's Department, 911, Amateur Radio, Red Cross, State Police, Rural Electric and the Department of Environment Conservation at the Center.

Mr. Hauryski commented that during the storm he was contacted by the Governor's Office inquiring as to what our situation was. He thanked Mr. Marshall and Mr. Wheeler for taking the initiative to take the action that we did. That was what the Governor's Office was looking for and they were pleased to hear that we were staffing our EOC. This was very well organized.

Mr. Mullen commented that the Fire Advisory Board was concerned that if we did have a bad storm, there would not be enough coordination due to the vacation position in the Emergency Management Office. Mr. Marshall stated that if this would have been a long-term event, we would have been short-staffed.

**MOTION: TO ADJOURN MADE BY MR. FARRAND. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, December 3, 2012 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office  
NO LATER THAN NOON on Monday, November 26, 2012.**

**STEBEN COUNTY PUBLIC SAFETY & CORRECTIONS COMMITTEE**

Monday, December 5, 2012

9:00 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

**COMMITTEE:** Brian C. Schu, Chair Aaron I. Mullen Thomas J. Ryan  
George J. Welch

**STAFF:** Mark R. Alger Jack Wheeler Joel Ordway  
Andy Greeley Jim Gleason Tim Marshall  
David Hopkins Shawn Corey

**LEGISLATORS:** Joseph J. Hauryski Carol A. Ferratella K. Michael Hanna  
Gary B. Roush Randolph J. Weaver

**ABSENT:** Dan C. Farrand, Vice Chair

**I. CALL TO ORDER**

Mr. Schu called the meeting to order at 9:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

Mr. Welch asked that the minutes be reflected to note that the total number of assigned cases, covering felonies, family court, etc. should be 980. The 328 cases noted in the minutes were only for felony cases.

Mr. Mullen stated that at last month's meeting he had asked why we were giving Assigned Counsel \$75,000 per month instead of \$45,000 per month to get through the end of the year. This was not included in the minutes and he would also like the minutes to reflect the answer that Mr. Wheeler had given at the November 26, 2012 Legislative Meeting. During that meeting, Mr. Wheeler had replied that it was due to increases in caseload.

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 5, 2012, MEETING AS AMENDED MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. DEPARTMENTAL REQUESTS**

A. Sheriff's Department

1. **Child Passenger Safety Program Grant** – Sheriff Ordway requested authorization to accept a Governor's Traffic Safety Committee Child Passenger Safety Grant in the amount of \$14,300. This is a zero-match grant.

**MOTION: AUTHORIZING THE SHERIFF'S DEPARTMENT TO ACCEPT A CHILD PASSENGER SAFETY GRANT IN THE AMOUNT OF \$14,300.00 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Milk Bid Award for Jail** – Mr. Gleason stated this is an annual bid and is awarded on estimated weekly use. He recommended awarding the bid to Byrne Dairy for a weekly cost of \$526.48.

**MOTION: AWARDING THE MILK BID FOR THE JAIL TO BYRNE DAIRY FOR A WEEKLY COST OF \$526.48 MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Sheriff Ordway announced this is his last committee meeting and it has been a pleasure working for the committee. Mr. Schu thanked Sheriff Ordway for his service. Mr. Greeley thanked Sheriff Ordway for all of the help that he has given to the Probation Department.

B. Administrator

1. **Budget Adjustment** – Mr. Wheeler stated last month the committee approved the transfer of two positions from Public Health Nursing to the Sheriff’s Department for Court Security. The 2013 Budget did not reflect the anticipated revenue from the New York State Office of Court Administration to support these positions. He requested the committee accept the revenue and appropriate to the 2013 Sheriff’s Budget.

**MOTION: ACCEPTING ANTICIPATED REVENUE FROM THE NEW YORK STATE OFFICE OF COURT ADMINISTRATION INTO THE 2013 BUDGET AND APPROPRIATING SAID FUNDS TO THE SHERIFF’S 2013 BUDGET FOR TWO ADDITIONAL COURT SECURITY POSITIONS MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

IV. **OTHER BUSINESS**

A. *Towing Policy* – Mr. Ryan stated that he has received some comments from individuals and things seem to be working better with regard to the tow rotation. If it is working, we don’t need to change it. Mr. Peoples stated that he has been told this was the worst tow policy because there have been some tow companies that haven’t been checked out. If we went with AAA requirements, then everyone would be checked out.

Mr. Alger stated we are not through with this and are still in the process of reviewing. In another month or so we should be in a position of having a listing of those companies that meet the requirements of AAA. We have to have a standard, and no matter what we do, they will not all be happy.

**MOTION: TO ADJOURN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.F. MATTERS LEADING TO THE FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR CORPORATION MADE BY MR. RYAN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION MADE BY MR. MULLEN. SECONDED BY MR. WELCH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Monday, January 7, 2013 @ 9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature’s Office  
NO LATER THAN NOON on Tuesday, January 1, 2013.**